

# Exhibit R

Declaration of Tim Suddoth



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### DECLARATION OF TIM SUDDOTH

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I, Tim Suddoth, hereby state that I have personal knowledge of the facts set forth below, and the facts contained herein are true to the best of my recollection, except for those facts which are alleged to be upon information and belief, and as to those allegations, I hereby certify I believe the same to be true. If called as a witness, I would competently testify as follows:

1. I am a United States citizen and am over 18 years of age. I reside in Davidson County, Tennessee.
2. I am employed by Middle Tennessee Electric Membership Corporation (MTE) as the Distributed Energy Resources (DER) and Energy Services Supervisor.
3. MTE is the largest electric cooperative in the Tennessee Valley Authority and is responsible for providing electricity to more than 750,000 Tennesseans.
4. In my role as the DER and Energy Services Supervisor, I help consult our members daily to help them reach educated decisions on solar installations or assist them with other solutions, such as one of our many renewable program offerings or energy efficiency evaluations/upgrades.
5. Prior to joining MTE, I worked for Cape Fear Solar Systems, LLC, a North Carolina limited liability company, as an Installer and Technical Sales Representative, and Lightwave Solar LLC, a Tennessee limited liability company, as a Solar Consultant.
6. During my career at Cape Fear Solar Systems, I started off on the ground level as an installer in 2011. Here I learned the knowledge of how to complete a quality installation. This includes but is not limited to how to attach and install flashings on the roof, how to cut and size racking, and how to run wiring and keep it off the hot roof. After a year of

installation, I moved into a Technical Sales role in which I wore many hats. I was involved in every aspect of the installation. I conducted the initial intake of the inquiry and scheduled a site visit in which I would climb on the roof to get measurements, evaluate the electrical equipment, determine how to run the wiring down to the equipment, and create a 3D rendered drawing. Once a contract was signed, I was responsible for putting together the permit package, filing utility paperwork, and HOA paperwork, getting all required signatures from the customer, scheduling the installation, and scheduling the inspections and meter exchanges. Once the installation was complete, I would commission the system with the local utility and set up the internet communications and provide closeout documentation. After 3 years, I moved to Tennessee and joined Lightwave Solar. I had a similar role but wore fewer hats. I was responsible for the intake of the initial inquiry, developing preliminary designs, scheduling site assessments, measuring roof areas, and evaluating electrical equipment to determine the best location for our equipment. Once an agreement was reached, I would get the contract signed and put together a utility package which included interconnection applications, agreements, site maps, and data sheets, and hand it off to our engineering department to finalize the design and hand off to the project manager who would take care of the rest.

7. I hold a North American Board of Certified Energy Practitioners Associate Level certification along with a fully Certified PV Inspector Certification.
8. I have been in the solar industry since 2012 and have been located in Tennessee for 8 years. I have commissioned and evaluated hundreds of installations since 2014, when I moved here. I have seen both sides of the industry from the contractor perspective and the utility

perspective. I work daily with contractors, members, inspectors, and engineers to properly design and explain the benefits of these systems.

9. In 2020, MTE launched a new solar consultation service called MTE PRO Solar. This free service offering was designed to help our members navigate the process of installing solar. We help them learn how the solar market works in the State of TN, we provide production estimates and offer over-the-phone consulting services for all things related to the installation: roof age, shading concerns, orientation, long-term maintenance, etc.
10. Members who install solar are required to submit an interconnection application and interconnection agreement for their installation. MTE will review and approve the application, agreement, and supporting documents (site map, data sheets, single-line electrical drawings, etc.) Solar installations must have written approval before they are allowed to be turned on and begin operation. MTE also requires in-person solar commissioning, where we visit the site and make sure the installation matches the drawings, the proper safety equipment was installed, and the contractor must demonstrate that their equipment operates as it should during a grid outage.
11. MTE keeps electronic copies of all interconnection applications, agreements, and utility packages submitted. We also input the details into our member management software and flag the site in our GIS mapping system, so our linemen know where the installations are located.
12. My interactions with Solar Titan USA with MTE began in 2020 when they started selling installations in our service area. Since the first job submittal, we have commissioned about 40 installations with Solar Titan USA.

13. There have been multiple complaints from our members ranging from status updates (systems installed for months but not turned on), leaks in roofs, lack of communication, and systems not generating what they were told.
14. I would say about 60-70% of all Solar Titan USA customers call me with issues, complaints, or want updates on the status of their installation. Most of the time, they said Solar Titan USA will not communicate with them or passes them from person to person.
15. Problems with Solar Titan USA installations include: (i) installed without written MTE approval, (ii) without the local Authority Having Jurisdiction (AHJ) approval, (iii) MTE has detected reverse rotation before the system has been commissioned and passed the required safety test, (iv) the use of poor-quality conduit, roof anchors and unused attachments left on the roofs, (v) MTE discovered several disconnects wired incorrectly that could shock a person if they were trying to change them out because they were still electrified. MTE required Solar Titan USA to rewire the disconnects with the utility power wired to the top of the disconnect and the solar power to the bottom so the fuses would not be electrified/hot in the "off" position, (vi) subquality materials that are not likely to last the 25+ year lifespan of the system.
16. Problems can occur when industry standards are not practiced. This could include but is not limited to, roof leaks, damaged shingles, and potential for shock is possible by installing systems designed and installed by unqualified personnel to MTE and the public. The potential for onsite fire or damage to MTE equipment is also possible.
17. MTE interactions with their employees have been frustrating. Many times, they don't have the proper tools or the knowledge to answer questions MTE or customers have. They generally do not know how to troubleshoot issues. To my knowledge, Solar Titan USA

does not employ an electrician or a NABCEP-certified person. Solar Titan USA employees display little knowledge of how the systems function and seem to be equally as frustrated oftentimes complaining of no clear direction (they just show up), lack of training, lack of organization, and lots of blame on equipment or other employees not onsite.

18. Solar Titan USA's drawing packages do not include the person who is designing the systems along with their qualifications. Most contractors will provide their license number and professional certifications (NABCEP #, engineering license, etc.) on their drawings.

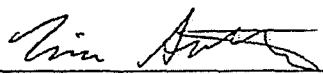
19. Dale Roden, Solar Titan USA's Technical Operations Officer, has proven to be confrontational and unwilling to help with problem-solving. In a recent discussion, it took 3 emails and a letterhead notice for him to provide the company's license number. MTE asked all our solar vendors for this same information and received it from other vendors within a day with no questions.

20. Photos of wires touching the roof and poorly run conduit are attached hereto as Exhibit A, and emails of interactions with Solar Titan USA are attached hereto as Exhibit B.

21. MTE keeps electronic files of all utility packages submitted. Pictures of onsite installations are also kept by MTE's engineering department.

22. Documents were prepared in response to member complaints and records specific to Solar Titan USA are already being maintained because of the unusual volume of complaints.

I declare under penalty of perjury under the laws of the State of Tennessee and pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct. Executed this, the 28<sup>th</sup> day of November, 2022, in Nashville, Tennessee (city/state).

  
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Tim Suddoth

